

**SUPERIOR COURT FOR THE DISTRICT OF COLUMBIA
FAMILY DIVISION
DOMESTIC RELATIONS BRANCH**

LYNDA CHAPMAN,
Plaintiff,

v.

RAYMOND CHAPMAN,
Defendants.

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Case No. 2021 DRB 002238
Judge Darlene M. Soltys
Next Date: January 21, 2022

ORDER GRANTING PLAINTIFF'S MOTION TO SERVE BY POSTING

This matter is before the Court on Plaintiff Lynda Chapman's *Motion to Serve by Publication or Posting* filed on November 12, 2021. An initial hearing is scheduled on November 29, 2021 on Plaintiff's *Complaint for Absolute Divorce* filed on September 10, 2021. Plaintiff's motion seeks authorization for alternative service because she has been unable to locate and serve Defendant Raymond Chapman.

Before an order allowing service by publication or posting may be issued, Plaintiff must demonstrate that she made a diligent but futile effort to locate the defendant, and must furnish the Court with the following:

(1) the time and place at which the parties last resided together; (2) the last time the parties were in contact with each other; (3) the name and address of the last employer of the Defendant either during the time the parties resided together or at a later time if known to the Plaintiff; (4) the names and addresses of those relatives known to be close to the Defendant; and (5) any other information which could furnish a fruitful basis for further inquiry by one truly bent on learning the present whereabouts of the Defendant. From such basic information, the Plaintiff should then detail for the Court the particular efforts which [sic] have been made in the effort to ascertain the Defendant's present address.

Bearstop v. Bearstop, 377 A.2d 405, 408 (D.C. 1977).

Plaintiff has demonstrated that she performed a diligent search for Defendant and that further efforts would be futile. In her motion, Plaintiff avers that she does not know Defendant's

current address or telephone. Her Complaint indicates that the parties separated in 2000, and the motion states that she last saw Defendant in June of 2008. Plaintiff attempted to serve Defendant via certified mail, sending the Summons and Complaint to Defendant's last known address (810 Alabama Ave SE, Washington, DC 20020); however, the return receipt (attached to Plaintiff's motion) was unsigned. Plaintiff's motion indicates that she does not have current contact information for Defendant's relatives. Plaintiff took additional steps to locate Defendant, which are outlined in her motion. She called the "411" operator and was told there was no listing for Defendant. Plaintiff also contacted the Bureau of Prisons, Correctional Treatment Facility, District of Columbia Jail, and US Parole Commission, which did not produce a record of Defendant.

Based on the foregoing, the Court finds that Plaintiff has made diligent efforts to locate Defendant and that further efforts are likely to be futile. The Court next considers Plaintiff's request for alternative service by posting, rather than publication. Pursuant to Super. Ct. Dom. Rel. R. 4(c)(4)(D) and D.C. CODE § 13-340(a), the Court may authorize service by posting notice in the Clerk's Office of the Family Court for a period of twenty-one (21) days if the cost of publication would impose a substantial financial hardship. Plaintiff has demonstrated that the cost of publication would impose a substantial financial hardship because she has already been allowed to file this case without payment of court costs. Therefore, the Court authorizes service posting of the below notice for a period of twenty-one (21) days in the Clerk's Office and on the Court's website, www.dccourts.gov/services/service-notice. If Defendant fails to file a responsive pleading within the time allowed after he has been served, the Court may enter default by order and convert the next hearing into a default/*ex parte* hearing to take testimony from Plaintiff and file a final judgment without Defendant's participation.

Wherefore, it is on this 17th day of November, 2021, hereby

ORDERED, that Plaintiff's *Motion to Serve by Publication or Posting* is **GRANTED**. It is further

ORDERED, that the hearing on November 29, 2021 is **VACATED**. It is further

ORDERED, that parties shall appear for an initial hearing on **January 21, 2022 at 9:30am** in Courtroom 102 (500 Indiana Ave NW, Washington, DC 20001). If the hearing is conducted remotely, instructions to participate are attached that will remain the same regardless of the assigned calendar judge. Please consult www.dccourts.gov/coronavirus as the current emergency order continues Superior Court operations remotely through November 21, 2021. Failure to appear may result in the issuance of a default, default judgment, a dismissal, or sanctions.

IT IS SO ORDERED.



DARLENE M. SOLTYS
JUDGE

Copies to:

Lynda Chapman
808 Chesapeake Street SE Apt. 104
Washington, DC, 20032
lyndachapman@gmail.com
Via First Class Mail and Email
Plaintiff

Raymond Chapman – no known address

INSTRUCTIONS TO PARTICIPATE IN A REMOTE HEARING:

The Court prefers participation by video and below are two options to attend by video. If a participant does not have a device that allows for video participation, participating by telephone is acceptable, and there is one option to do so below.

****When you log in to the remote courtroom, there may already be a hearing in progress. Please wait for the courtroom clerk to address you and mute your video/phone whenever you are not speaking.****

To access the remote courtroom by computer with video (two options):

(1) Open Web Browser in Google Chrome and copy and paste following address:

<https://dccourts.webex.com/meet/ctb102> **OR**

(2) Open Web Browser in Google Chrome and copy and paste following address:

<https://dccourts.webex.com>. Select JOIN, enter ACCESS CODE: 129 899 1493

To access the remote courtroom by smartphone or tablet with video:

Go to App Store, Download WebEx App (Cisco WebEx Meetings), Select Join Meeting,

Enter URL: <https://dccourts.webex.com/meet/ctb102>, enter your name and e-mail.

To access the remote courtroom by phone, no video:

Call 1 (202) 860-2110 and enter ACCESS CODE 129 899 1493#, then hit # again.

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NOTICE OF DIVORCE PROCEEDING

RAYMOND CHAPMAN, YOU ARE HEREBY NOTIFIED THAT a complaint for absolute divorce has been filed in the above-captioned matter.

IF YOU WANT TO CHALLENGE THIS COMPLAINT, you must file a written objection with the Court by December 21, 2021, and prior to the status hearing scheduled for January 21, 2022 at 9:30 a.m. in Courtroom 102 (accessible at <https://dccourts.webex.com/meet/ctb102>, or by dialing (202) 860-2110 and entering Meeting ID 129 899 1493, followed by "##"). If you do not file a written objection by December 21, 2021, default may be entered against you and the next status hearing may be converted to a default/*ex parte* proof hearing. Your objection should be directed to the Domestic Relations Branch Clerk, Family Court, Superior Court of the District of Columbia, 500 Indiana Avenue NW, Washington, DC 20001.

IF YOU DO NOT WANT TO CHALLENGE THIS COMPLAINT, you may consent to the relief sought prior to the initial hearing scheduled for January 21, 2022 at 9:30 a.m. in Courtroom 102. For more information on how to file a Consent Answer, please contact the Self-Help Center, telephone number (202) 879-0096 and located at JM-570, Superior Court of the District of Columbia, 500 Indiana Avenue NW, Washington, DC 20001.

**FAILURE TO RESPOND IN THIS MATTER MAY RESULT IN THE ENTRANCE OF A
JUDGMENT OF ABSOLUTE DIVORCE WITHOUT YOUR PARTICIPATION**